

John A. McMullen (admitted to New York bar)
100 Dorset Street, Suite 15
South Burlington, VT 05403
Telephone: 802-859-9800
Facsimile: 802-859-0826

Attorney for Alfred H. McMullen, a named claimant in Debtors' Eighty-Third Omnibus
Objection to Claims

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re : **Chapter 11 Case No.**
:
MOTORS LIQUIDATION COMPANY, et al., : **09-50026 (REG)**
f/k/a General Motors Corp., et al. :
:
Debtors. : **(Jointly Administered)**
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**OBJECTION AND MOTION TO REJECT DEBTORS' EIGHTY-THIRD
OMNIBUS OBJECTION TO CLAIMS (Welfare Benefits Claims of Retired and
Former Salaried and Executive Employees)**

TO THE HONORABLE ROBERT E. GERBER,
UNITED STATES BANKRUPTCY JUDGE:

Debtors' Objection was filed on August 20 2010, with a very short deadline for the
named Claimants to object of September 17, 2010. The case is complex and ongoing and
the claimants are new to it since they believed they would be able to settle their claims,
assumed by the New GM, in informal discussions with Weil, Gotshal & Manges LLP.
The Objection in question seeks to void the claims in their entirety causing claimants to
have to scramble on short notice to identify and retain attorneys. It has taken time for
them to accomplish this further shortening the practical time for response.

Claimant Alfred H. McMullen ("Claimant McMullen") filed Claim No.30614 timely for

\$142,496. He subsequently amended that claim when more accurate information came to light. His claim was based on lost life insurance and reduced health benefits. He sent the amended claim to The Garden City Group, Inc. on August 11, 2010, along with the methodology used to compute the amended claim -- and understands that the amended claim was thereafter forwarded to Debtors' attorney, Weil, Gotshal & Manges, LLP. The amended claim is for \$215,142.

Claimant McMullen respectfully objects to Debtors' Eighty-Third Omnibus Objection to Claims ("Objection") and moves to reject that Objection as it relates to his particular amended claim for \$215,142 for the reasons outlined below.

The Debtors acknowledge that General Motors LLC ("New GM") assumed the accrued benefits claims filed by the Salaried and Executive Employees listed on Exhibit A of its Objection but argue that Debtors had an inferred right to reduce, modify, or eliminate such Welfare Benefits claims by action of the Board of Directors.

Given the way in which these benefits were explained to Claimant McMullen (and presumably the other Exhibit A Salaried and Executive employees) at the time they were conferred by the General Motors Corporation ("Old GM"), Claimant McMullen believes it is a stretch to infer a right for the New GM to reduce, modify, or eliminate such benefits at the discretion of the Board of Directors, notwithstanding cited case law (which is not directly on point)

In addition, Debtors provide no evidence in the Objection of such action by the Board.

Moreover, it would be a breach of good faith to act to drastically reduce or eliminate such Welfare Benefits claims when the Old GM did not indicate through its benefits representatives that it contemplated, or had the power to, reduce or eliminate benefits conferred at the point Claimant McMullen received them, much less eleven years into his retirement.

Also, an action like this against retired executives such as Claimant McMullen would be inconsistent with the generous treatment of hourly employees by the New GM.

WHEREFORE Claimant McMullen moves to reject the Debtors' Objection as it relates to his claim.

Dated: South Burlington, Vermont
September 15, 2010

/s/ John A. McMullen
John A. McMullen

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South Burlington, VT 05403
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Facsimile: 802-859-0826

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